

The opinion in support of the decision being entered today was *not* written for publication and is *not* binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

*Ex parte* SATOSHI HIROSAWA, KOHKI TOKUHARA, KEN MAKITA, and  
HIROSHI NAGATA

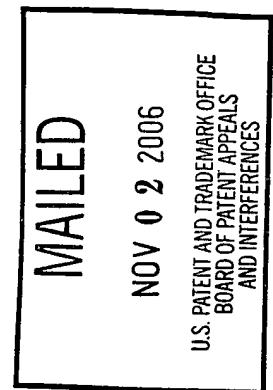
Application 10/634,856  
Technology Center 1700

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on October 25, 2006. A review has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner. The matters requiring attention prior to docketing are identified below:

*APPEAL BRIEF*

Appellants filed an Appeal Brief which was received by the USPTO on April 12, 2006. The following sections are either missing or lack required content:



*Summary of Claimed Subject Matter*

The content provided under the section “Summary of Claimed Subject Matter,” is not commensurate in scope with 37 C.F.R. § 41.37(c)(1)(v) because the content does not give a concise explanation of the subject matter defined in each of the independent claims involved in the appeal.

*Evidence and Related Proceedings Appendices*

Two required headings are not present in the Appeal Brief received by the USPTO on April 12, 2006. The headings are:

Evidence Appendix as required by 37 C.F.R. § 41.37(c)(1)(ix);  
and the

Related Proceedings Appendix as required by 37 C.F.R. § 41.37(c)(1)(x).

Correction is required.

Accordingly, it is

*ORDERED* that the application is returned to the Examiner to:

(1) instruct Appellants to provide a Supplemental Appeal Brief which fully complies with 37 C.F.R. § 41.37(c)(1)(v), (c)(1)(ix), and (c)(1)(x);  
(2) have said Supplemental Appeal Brief made a part of the Image File  
Wrapper (IFW) Official record;

and

(3) for such further action as may be appropriate.

Application 10/634,856

BOARD OF PATENT APPEALS  
AND INTERFERENCES

By: GP Egle for Dale Shaw  
DALE M. SHAW  
Deputy Chief Appeals Administrator  
(571) 272-9797

*DYKEMA GOSSETT, P.L.L.C.*  
*FRANKLIN SQUARE, THIRD FLOOR WEST*  
*1300 I STREET, NW*  
*WASHINGTON, D.C. 20005*

DMS:hh